



147396

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/10/2014	.	
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	.	
	.	

The Committee on Ethics and Elections (Sobel) recommended the following:

Senate Amendment (with title amendment)

Between lines 272 and 273

insert:

Section 5. Subsection (1) of section 101.64, Florida Statutes, is amended to read:

101.64 Delivery of absentee ballots; envelopes; form.—

(1) The supervisor shall enclose with each absentee ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope,



147396

11 into which the absent elector shall then place the secrecy
12 envelope, which shall be addressed to the supervisor with no
13 return postage required and also bear on the back side a
14 certificate in substantially the following form:

15

16 Note: Please Read Instructions Carefully Before
17 Marking Ballot and Completing Voter's Certificate.

18

19 VOTER'S CERTIFICATE

20 I,, do solemnly swear or affirm that I am a qualified
21 and registered voter of County, Florida, and that I have
22 not and will not vote more than one ballot in this election. I
23 understand that if I commit or attempt to commit any fraud in
24 connection with voting, vote a fraudulent ballot, or vote more
25 than once in an election, I can be convicted of a felony of the
26 third degree and fined up to \$5,000 and/or imprisoned for up to
27 5 years. I also understand that failure to sign this certificate
28 will invalidate my ballot.

29

30 ...(Date)... (Voter's Signature)...

31

32 Section 6. Subsection (2) of section 101.6921, Florida
33 Statutes, is amended to read:

34 101.6921 Delivery of special absentee ballot to certain
35 first-time voters.-

36 (2) The supervisor shall enclose with each absentee ballot
37 three envelopes: a secrecy envelope, into which the absent
38 elector will enclose his or her marked ballot; an envelope
39 containing the Voter's Certificate, into which the absent



147396

40 elector shall place the secrecy envelope; and a mailing
41 envelope, which shall be addressed to the supervisor with no
42 return postage required and into which the absent elector will
43 place the envelope containing the Voter's Certificate and a copy
44 of the required identification.

45 Section 7. Section 101.65, Florida Statutes, is amended to
46 read:

47 101.65 Instructions to absent electors.—The supervisor
48 shall enclose with each absentee ballot separate printed
49 instructions in substantially the following form:

50

51 READ THESE INSTRUCTIONS CAREFULLY
52 BEFORE MARKING BALLOT.

53 1. VERY IMPORTANT. In order to ensure that your absentee
54 ballot will be counted, it should be completed and returned as
55 soon as possible so that it can reach the supervisor of
56 elections of the county in which your precinct is located no
57 later than 7 p.m. on the day of the election. However, if you
58 are an overseas voter casting a ballot in a presidential
59 preference primary or general election, your absentee ballot
60 must be postmarked or dated no later than the date of the
61 election and received by the supervisor of elections of the
62 county in which you are registered to vote no later than 10 days
63 after the date of the election.

64 2. Mark your ballot in secret as instructed on the ballot.
65 You must mark your own ballot unless you are unable to do so
66 because of blindness, disability, or inability to read or write.

67 3. Mark only the number of candidates or issue choices for
68 a race as indicated on the ballot. If you are allowed to "Vote



147396

69 for One" candidate and you vote for more than one candidate,
70 your vote in that race will not be counted.

71 4. Place your marked ballot in the enclosed secrecy
72 envelope.

73 5. Insert the secrecy envelope into the enclosed mailing
74 envelope which is addressed to the supervisor.

75 6. Seal the mailing envelope and completely fill out the
76 Voter's Certificate on the back of the mailing envelope.

77 7. VERY IMPORTANT. In order for your absentee ballot to be
78 counted, you must sign your name on the line above (Voter's
79 Signature). An absentee ballot will be considered illegal and
80 not be counted if the signature on the voter's certificate does
81 not match the signature on record. The signature on file at the
82 start of the canvass of the absentee ballots is the signature
83 that will be used to verify your signature on the voter's
84 certificate. If you need to update your signature for this
85 election, send your signature update on a voter registration
86 application to your supervisor of elections so that it is
87 received no later than the start of the canvassing of absentee
88 ballots, which occurs no earlier than the 15th day before
89 election day.

90 8. VERY IMPORTANT. If you are an overseas voter, you must
91 include the date you signed the Voter's Certificate on the line
92 above (Date) or your ballot may not be counted.

93 9. Mail, deliver, or have delivered the completed mailing
94 envelope. ~~Be sure there is sufficient postage if mailed.~~

95 10. FELONY NOTICE. It is a felony under Florida law to
96 accept any gift, payment, or gratuity in exchange for your vote
97 for a candidate. It is also a felony under Florida law to vote



147396

98 in an election using a false identity or false address, or under
99 any other circumstances making your ballot false or fraudulent.

100 Section 8. Subsection (2) of section 101.6923, Florida
101 Statutes, is amended to read:

102 101.6923 Special absentee ballot instructions for certain
103 first-time voters.—

104 (2) A voter covered by this section shall be provided with
105 printed instructions with his or her absentee ballot in
106 substantially the following form:

107

108 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
109 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
110 YOUR BALLOT NOT TO COUNT.

111

112 1. In order to ensure that your absentee ballot will be
113 counted, it should be completed and returned as soon as possible
114 so that it can reach the supervisor of elections of the county
115 in which your precinct is located no later than 7 p.m. on the
116 date of the election. However, if you are an overseas voter
117 casting a ballot in a presidential preference primary or general
118 election, your absentee ballot must be postmarked or dated no
119 later than the date of the election and received by the
120 supervisor of elections of the county in which you are
121 registered to vote no later than 10 days after the date of the
122 election.

123 2. Mark your ballot in secret as instructed on the ballot.
124 You must mark your own ballot unless you are unable to do so
125 because of blindness, disability, or inability to read or write.

126 3. Mark only the number of candidates or issue choices for



147396

127 a race as indicated on the ballot. If you are allowed to "Vote
128 for One" candidate and you vote for more than one, your vote in
129 that race will not be counted.

130 4. Place your marked ballot in the enclosed secrecy
131 envelope and seal the envelope.

132 5. Insert the secrecy envelope into the enclosed envelope
133 bearing the Voter's Certificate. Seal the envelope and
134 completely fill out the Voter's Certificate on the back of the
135 envelope.

136 a. You must sign your name on the line above (Voter's
137 Signature).

138 b. If you are an overseas voter, you must include the date
139 you signed the Voter's Certificate on the line above (Date) or
140 your ballot may not be counted.

141 c. An absentee ballot will be considered illegal and will
142 not be counted if the signature on the Voter's Certificate does
143 not match the signature on record. The signature on file at the
144 start of the canvass of the absentee ballots is the signature
145 that will be used to verify your signature on the Voter's
146 Certificate. If you need to update your signature for this
147 election, send your signature update on a voter registration
148 application to your supervisor of elections so that it is
149 received no later than the start of canvassing of absentee
150 ballots, which occurs no earlier than the 15th day before
151 election day.

152 6. Unless you meet one of the exemptions in Item 7., you
153 must make a copy of one of the following forms of
154 identification:

155 a. Identification which must include your name and



147396

156 photograph: United States passport; debit or credit card;
157 military identification; student identification; retirement
158 center identification; neighborhood association identification;
159 or public assistance identification; or

160 b. Identification which shows your name and current
161 residence address: current utility bill, bank statement,
162 government check, paycheck, or government document (excluding
163 voter identification card).

164 7. The identification requirements of Item 6. do not apply
165 if you meet one of the following requirements:

166 a. You are 65 years of age or older.

167 b. You have a temporary or permanent physical disability.

168 c. You are a member of a uniformed service on active duty
169 who, by reason of such active duty, will be absent from the
170 county on election day.

171 d. You are a member of the Merchant Marine who, by reason
172 of service in the Merchant Marine, will be absent from the
173 county on election day.

174 e. You are the spouse or dependent of a member referred to
175 in paragraph c. or paragraph d. who, by reason of the active
176 duty or service of the member, will be absent from the county on
177 election day.

178 f. You are currently residing outside the United States.

179 8. Place the envelope bearing the Voter's Certificate into
180 the mailing envelope addressed to the supervisor. Insert a copy
181 of your identification in the mailing envelope. DO NOT PUT YOUR
182 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
183 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
184 BALLOT WILL NOT COUNT.



147396

185 9. Mail, deliver, or have delivered the completed mailing
186 envelope. ~~Be sure there is sufficient postage if mailed.~~

187 10. FELONY NOTICE. It is a felony under Florida law to
188 accept any gift, payment, or gratuity in exchange for your vote
189 for a candidate. It is also a felony under Florida law to vote
190 in an election using a false identity or false address, or under
191 any other circumstances making your ballot false or fraudulent.

192
193 ===== T I T L E A M E N D M E N T =====

194 And the title is amended as follows:

195 Delete line 21

196 and insert:

197 met; amending ss. 101.64 and 101.6921; providing that
198 postage is not required on the mailing envelope for
199 certain absentee ballots; amending ss. 101.65 and
200 101.6923, F.S.; conforming provisions to changes made
201 by the act; amending s. 101.68, F.S.; revising
202 instructions